

Redundancy Policy

This document is relevant to:	
Staff	✓

Purpose

It is Dorset Mind's aim to maintain and enhance the efficiency and financial sustainability of the organisation which will, as far as possible, safeguard the current and future employment of its employees.

However, it is recognised that there may be financial, service or organisational reasons that affect staffing needs. In such circumstances Dorset Mind will seek to minimise the effect of redundancies as far as possible.

Policy

Dorset Mind is committed to ensuring that this policy does not discriminate directly or indirectly on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, trade union membership and activity.

Part-time staff and those working under fixed-term contracts, shall not be singled out for selection on different criteria to those applied to *comparable* full-time staff.

The following details the process to be undertaken where changes in funding, service or organisational requirements may affect staffing needs.

1. Preventative Measures

Where the need for redundancies has been identified, and in order to avoid these, one or more of the following measures will be considered:

- consideration will be given to a salary freeze for a specified period
- consideration will be given to suspending advertising and recruitment
- consideration will be given to discontinuing temporary staff
- consideration will be given to the likely effects of natural wastage
- consideration will be given to existing workloads and overtime levels
- consideration will be given to job-sharing, part-time employment and/or other flexible arrangements
- consideration will be given to discontinuing the engagement of consultants.

Any such measure will need to ensure that it does not adversely affect the effectiveness of the charity.

Dorset Mind may seek voluntary redundancies. If so, the category of employees will be made known and volunteers will be sought. Although all applications for voluntary redundancy will be considered, acceptance will depend on the staffing needs of the charity.

2. Compulsory Redundancy

Selection criteria

When selecting staff for redundancy, the following objective criteria will be taken into account. This list is not exhaustive and is not necessarily in order of priority:

- loss of contract based work or funding for the post
- attendance and disciplinary records
- appraisal/review records
- relevant experience, qualifications, capability and adaptability.

Where the charity plans to make 20 or more employees redundant, it will follow a formal consultation process in line with the relevant legislation in force at that time.

Suitable Alternative Employment

Employees at risk of redundancy will be informed of all actual and expected vacancies at Dorset Mind.

For each vacancy available at that time, Dorset Mind will determine whether any of the employees at risk of redundancy should be offered redeployment.

In considering what constitutes suitable alternative employment, relevant criteria will include:

- job content
- status
- pay and other terms and conditions
- job security.

In order to consider redeployment an interview will be offered.

The purpose of an interview is to:

- (i) establish whether, with a reasonable amount of training if necessary, the employee is able to undertake satisfactorily the tasks detailed in the job description for the alternative post. This will be done by:
 - considering the employee's work experience to date
 - the skills s/he has acquired over time, and
 - whether these fulfil the essential requirements for the vacant post.
- (ii) to establish whether the employee considers the post to be a suitable alternative and is willing to accept it.

Where an employee at risk of redundancy is to be redeployed, Dorset Mind will use its best endeavours to provide retraining which is compatible with the work and business of the charity so far as is reasonably practicable, having regard to both the cost of retraining and the requirement for the employee to carry out the duties of the redundant post.

Where an employee unreasonably refuses an offer of suitable alternative employment, Dorset Mind may in its discretion withhold any applicable redundancy payment.

Trial period

Redundancy rights will not be lost if the staff member or Dorset Mind decides after a trial period of up to four calendar weeks, from the date at which the new job was taken up, that the new job or the staff member's performance in that post is not suitable.

In such case either party may terminate or give notice and on termination the staff member shall be treated as though s/he has been made redundant on the date the old job ended.

The trial period shall be extended for up to three months for the purpose of training for the new post, provided that the trial period and terms and conditions of appointment applying after training are agreed in writing prior to the commencement of the new job.

3. Appeals

Staff served with notice of redundancy are entitled to appeal.

Staff wishing to appeal are entitled to be accompanied at the appeal hearing by a trade union representative or a work colleague of their choice.

Appeals must be submitted within ten working days of the notice of redundancy being communicated to the employee.

The decision of the person or panel hearing the appeal is final and shall normally be communicated to the employee within five working days of the Appeal Hearing.

4. Consultation

Staff members at risk of redundancy shall be informed as soon as possible, in a private meeting with the Chief Executive, and will be entitled to a reasonable period of consultation.

Staff affected are encouraged to contribute to the consultation process with their own ideas for preventative measures or possible alternative employment with Dorset Mind.

Staff to be made redundant are entitled to an appeal as set out in 3 above.

5. Redundancy Payments and Time off

Staff with two or more years' continuous employment with Dorset Mind at the date their notice of redundancy becomes effective, shall receive statutory redundancy payments, currently calculated as follows:

- (i) half a week's pay for each complete year of service up to the age of 21
- (ii) one week's pay for each complete year of service between the age of 22 and 40;
- (iii) one and a half week's pay for each complete year of service at age 41 and over.

For calculating (i)-(iii) above, a week's pay is based on the maximum statutory weekly rate of pay in force at the time or the employee's normal rate of pay, whichever is lower.

Staff with less than two year's continuous employment with Dorset Mind, at the date their notice of redundancy becomes effective, are not eligible for redundancy payment.

Payment in respect of outstanding accrued holiday entitlement shall be made if it is not reasonably practicable for such holiday entitlement to be taken during the notice period. Holiday time taken up to the annual allowance but not earned shall not be deducted.

During their notice period staff are entitled to a maximum of one working week without loss of pay to attend interviews/training.

Responsibilities

The Chief Executive is responsible for managing this policy and overseeing its implementation.

Associated Policies and Procedures

- Equality and Diversity Policy

The equality impact of this policy has been considered and Dorset Mind believes that it complies with its commitment to equality as stated in its Equality Policy

Policy Ownership

Policy Name	Version	Doc ref
Redundancy Policy	1.0	Redundancy Policy

Policy Owner	Chair of Trustees
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Approval Status

Date adopted by Trustees	January 2016		
Date published	January 2016	Date for next review	January 2018

Consult the Dorset Mind website for the latest version of this policy.

Document Control

Reviewers

Name	Position
Chris Price	Chair of Trustees
Anna Windett	Trustee
Lyne Barnes	Staff

Change History

Issue	Date	Author	Reason
1.0	Dec 15	Chris Price	New policy